

CHAPTER 15

WATER

SECTION:

10-15-1: Water

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- (A) The developer shall provide the subdivision with a complete and State-approved water main supply system, which shall be connected to an existing state-approved municipal or community water supply, except that when such municipal or community water supply is not available, the developer shall provide one (1) of the following:
1. A water supply system which will serve the whole development, in accordance with the minimum requirements of the State of Illinois; or,
 2. An individual water supply system on each lot in the subdivision, in accordance with the minimum requirements and recommendations of the State of Illinois and any local ordinances. Private restrictions are to be filed with the final plat and incorporated in each deed so that as soon as a public water supply system is available, connections to the system shall be made at the property owner's expense within one (1) year, and owners shall bear their full, proportionate share of the cost of the public water main as determined by agreement, special assessment proceedings, or other means authorized by law or regulations established by the public water supply system. A water system shall be deemed available when a Village water line of adequate size is within one hundred feet (100') of the subdivision, and capacity is available in the existing water system.
 3. If the subdivider installs a water main supply system which is connected with the Village water supply system in a subdivision located outside of the Village, the subdivider shall require, as a condition of the sale of each lot or parcel in the subdivision, that the owners of such lot or parcel shall not object or remonstrate in any manner any future action of the

Village with respect to the annexation of such lot or parcel to the Village.

The plans and specifications for the installation of a water supply system and a statement of responsibility for maintaining the same shall be provided by the developer and approved by the State of Illinois. Upon completion of the water supply installation, the plans for the system "as-built" shall be filed with the County Health Department, and with the Village.

- (B) Additionally, "restrictive covenants" shall be drafted subject to the approval of the Village pursuant to Section 10-23-2, hereof. If connected or proposed to be connected to the Village water supply system, then a restrictive covenant substantially similar to the following shall be included:

When and if this subdivision becomes contiguous to the Village limits of the Village of Arthur, all record owners of lots in this (name of subdivision) subdivision shall sign a petition to annex all of the subdivision to the Village of Arthur, Illinois, within ten (10) days after being requested by the Village to sign said petition. This covenant shall run with the land forever and is not limited to a term of years.

- (C) The restrictive covenants shall also provide as follows:

In the event that the Village of Arthur, Illinois, shall be required to construct, extend, or make substantial improvements to a water supply system for this subdivision, the total cost shall be divided by the total number of lots in this subdivision and allocated to the record owners of each lot. If the total sum due is not paid when due by a record owner or owners of a lot in this subdivision, then the Village of Arthur, Illinois, may exercise any remedy for the collection of said obligation available under the law of the State of Illinois. Further, the record owner and owners of each lot hereby stipulate and agree that the Village of Arthur Water Department may add to the regular monthly water bill a sum as determined by the Village Board until such time as the unpaid obligation under this covenant has been fully paid, and hereby stipulates and agrees to an additional sum per month, as determined by the Village Board, as a finance charge for the privilege of not paying the obligation when due. The due date of the sum

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shall be determined by ordinance, but not earlier than thirty (30) days following substantial completion of the work.